

From: Fowler, Sarah
Sent: Tuesday, September 08, 2015 4:03 PM
To: Sheata, Carrie A; Nall, Susan SPK
Cc: Hamilton, Karen; Silver, Wendy
Subject: EPA comments on Town of Mountain Village SPK-2014-01067, Lot 1003R-1, Proposed Telluride Medical Center

Dear Carrie:

I have reviewed the Public Notice and supporting application information dated 24 July 2105 regarding the subject permit application. In addition, Wendy Silver and I visited the site in early September 2015 to be able to provide site-specific substantive comments on the proposed application. The remaining 0.44 acre forested montane wetland complex is an important wetland in the Telluride Mountain Village vicinity. These ground water fed forested scrub/shrub type wetlands provide critical wildlife habitat, enhance water quality functions and perform other significant biological functions. Mature forested wetland complexes in the region also constitute a productive and valuable public resource. Mitigation for this wetland type at the proposed elevation will be a long-term proposition as demonstrated by the long-term wetland restoration efforts required under the Consent Decree. This significant lag time in replacing wetland functions and values at high elevations should be considered by the Corps when evaluating appropriate mitigation ratios. Accordingly, the Environmental Protection Agency continues to be concerned about the direct, secondary/indirect, and cumulative adverse impacts that will result from this proposed project as stated in our comment letter dated 25 March 2015.

We continue to believe that the application has not clearly demonstrated the proposed project is the least environmentally damaging practicable alternative. Despite significant efforts by the project proponents to identify constraints for the two alternative sites at Lawson Hill - that do not result in adverse impacts to waters of the United States - less damaging practicable alternatives may be available to the applicant. Since the original application for a 25,000 square foot building, the applicant has increased the square footage requirements to 40,000 square feet for future population/build out of the area. It has come to our attention that this increased square footage needs meet future medical building standards but the excess space may need to be used in the meantime for other purposes, i.e., commercial or retail space. Should this be the case for the proposed Lot 1003R-1, this information should be evaluated and disclosed by the applicant in this Public Notice and considered by the Corps for an accurate determination of compliance with the Section 404(b)(1) Guidelines.

The Public Notice lists planning and zoning constraints (as well as other constraints including, water and sewer, need for additional bus service, etc.) of the two less environmentally damaging alternative sites at Lawson Hill. Without the applicant seeking approval by the planning and zoning entities, including San Miguel County and the Town of Telluride, we believe that these alternatives may still be practicable and available to the applicant under the Guidelines (40 CFR 230.10(a)). Costs and time constraints for these approvals may be considered significant by the applicant but it is our understanding that current private fund raising efforts to fund the medical center (without voter approval for acquisition of public funds) may also take significant time and have costs associated with this delay. Additionally, these alternative sites are more centrally located for the population it serves and is located very near the Telluride Airport. It appears that emergency helicopter use at the proposed site could be problematic with high residential proximity, inclement weather, and adjacent chairlift operations. The current airport may have similar weather constraints but may be more fully available for emergency helicopter use with added safety factors.

Previous EPA comments on alternatives and cost comparisons from our letter dated 25 March 2015 continue to apply to this public notice. The information provided by the applicant regarding practicability (Table 1) does not provide clear demonstration of practicability as the logistics factors do not tell the entire story. The gondola

service is not without problems as the service is not provided 24/7/365. Rezoning is not necessarily prohibitive and costs are relative. The existing medical facility costs are also not included in the alternatives analysis equation. Finally, we believe the applicant has not clearly demonstrated that the existing medical facility (with or without service upgrades) located in Telluride combined with a smaller facility at the Lawson Hill sites is not a less damaging practicable alternative. This alternative may avoid some of the planning and zoning constraints listed by the applicant and provide the full range of medical needs in the region.

As stated in our previous comment letter, EPA continues to believe the project as currently proposed is not in compliance with the section 404(b)(1) Guidelines (part 230.10(a)) and we recommend that the Corps require the applicant to either provide clear demonstration that the other alternatives are not practicable or withdraw the application. If you have any questions concerning these comments or recommendations, please contact me at your convenience.

Sarah Fowler
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